

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 16, 2002**

DIVISION ONE

B132682 People (Not for Publication)  
v.  
Medina

---

---

The judgment is reversed.

Mallano, J.

I concur: Vogel (Miriam A.), J.  
I concur: Ortega, Acting P.J. (Opinion)

DIVISION TWO

B128192      People                                  (Not for Publication)  
v.  
Morales and Pozo

Appellant Morales's abstract of judgment is modified to (1) strike the two-year term imposed pursuant to section 186.22, (2) reflect a sentence of 50 years to life, and (3) note a 15-year minimum parole eligibility date under the criminal street gang provision of section 186.22, subdivision (b). Appellant Pozo's abstract of judgment is modified to note a 15-year minimum parole eligibility date under the criminal street gang provision of section 186.22, subdivision (b). In all other respects, appellants' judgments are affirmed.

Nott, J.

We concur:   Boren, P.J.  
                      Cooper, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B150140 Children & Family Services v. Rose M., et al.

B144055 Lauria v. State Personnel Board, et al.

B148917 People v. Mike K.

Argument waived, cause submitted.

B147688     Van Ronkel  
                  v.  
                  Kirshner

Merits:

Argued by Ronald Richards for appellant and by Robert H. Horn for respondents. Cause submitted.

B140684     Dain & Li  
                  v.  
                  Huang, et al.  
                  Wang

Merits:

Argued by Joel F. Tamraz for appellant and by Eric Robert Larson and Robert L. Driskell for respondents. Cause submitted.

DIVISION THREE (Continued)

B154384     Los Angeles County, D.C.S.  
              v.  
              Pablo M., et al.

Merits:  
Argued by Pablo M., and Linda V., petitioners in propria persona and by  
Arezo Pichvai, deputy county counsel for respondent. Cause submitted.

B148573     Diaz  
              v.  
              Chavez

Merits:  
Argued by Anne M. Huarte for appellant and by Ray Jimenez for  
respondents. Cause submitted.

B152367     Sprig Electric Company  
              v.  
              L.A. Unified School District, et al.

Merits:  
Argued by William T. Eliopoulos for appellant and by Jack S. Yeh for  
respondents. Cause submitted.

B149249     Shoraka, et al.  
              v.  
              Associated International Insurance Company

Merits:  
Argued by Michael K. Collins for appellants and by Susan E. Dallas for  
respondent. Cause submitted.

Court recessed at 12:05 p.m.

DIVISION THREE (Continued)

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B150157     People  
              v.  
              Heger

Merits:

Argued by Loren Nizinski for appellant and by Michelle J. Pirozzi, deputy attorney general for respondent. Cause submitted.

B147989     People  
              v.  
              Blanton

Merits:

Argued by Carlo Andreani for appellant and by John Yang, deputy attorney general for respondent. Cause submitted.

B146711     Cunningham  
              v.  
              City of Los Angeles, et al.

Merits:

Argued by Benjamin Robinson for appellant and by Lisa Berger, deputy city attorney for respondents. Cause submitted.

### DIVISION THREE (Continued)

B152449 People of the State of California  
v.  
Superior Court, Los Angeles County  
(Plascencia, r.p.i.)

Merits:

Argued by Fred Klink for petitioner and by Philip A. DeMassa for real party in interest. Cause submitted.

Court adjourned at 2:50 P.M.

DIVISION FOUR

B145884      Lee                                  (Not for Publication)  
v.  
Hoffman et al.

The order (as amended herein) is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B144351 Bishop (Not for Publication)  
v.  
Chester et al.

The judgment is affirmed. Each party to bear its own costs.

Curry, J.

We concur: Vogel (C.S.), P.J.  
Epstein, J.

## DIVISION FOUR (Continued)

[illegible]

For the foregoing reasons, the judgment is modified to impose a laboratory analysis fee of \$50 pursuant to Health and Safety code section 11372.5, subdivision (a), and to impose penalty assessments of \$50 and \$35 pursuant to Penal Code section 1464 and government Code section 76000, respectively. As modified the judgment is affirmed. The trial court is directed to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting this modification.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

B141909 Jagodowicz  
v.  
Seaver et al.

Filed order denying petition for rehearing for appellant Unihealth.

## DIVISION FIVE

B154229      Loren L.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(D.C.F.S., r.p.i.)

The petition is denied.

Armstrong, J.

We concur: Grignon, Acting P.J.  
Mosk, J.

DIVISION SIX

B154914      Antonia T.  
v.  
Santa Barbara Superior Court  
(Child Protective Services, R.P.I.)

The Court:

The petition for writ of mandate is dismissed as abandoned.

B147650      Vilkin      (Not for Publication)  
v.  
Gonzalez

We affirm the judgment. Costs are awarded to respondents.

Perren, J.

We concur:   Gilbert, P.J.  
                      Coffee, J.

B143265 Medrano  
v.  
Ventura County Flood Control District

Filed order denying petition for rehearing.

B148327 People (Not for Publication)  
v.  
Hodges

The abstract of judgment is ordered to be corrected to reflect the oral pronouncement of sentence. In all other respects, the judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION SIX (Continued)

B147339      Joseph L. Cole, Trustee of the Stanford Farms Trust  
v.  
County of Santa Barbara

Filed order denying petition for rehearing and request for publication.

## DIVISION SEVEN

[illegible]

The judgment is affirmed. This matter is remanded to the trial court. On remand, the trial court is directed to vacate the abstract of judgment; and to order the Clerk of the Superior Court to prepare a new abstract of judgment consistent with this opinion; specifically the abstract should reflect: (1) the imposition of an eight-year term on Count V; (2) a five-year term for a serious felony enhancement under Penal Code section 667, subdivision (a); and (3) a conviction of attempted first degree residential burglary in Count VII. The court is further ordered to direct the Clerk of the Superior Court to send the new abstract of judgment to the Department of Corrections.

Woods, J.

We concur: Johnson, Acting P.J.  
Perluss, J.



## DIVISION SEVEN (Continued)

B146588      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Kenneth A.

The order removing Nicholas from appellant's custody is affirmed.

Johnson, Acting P.J.

We concur: Woods, J.  
Boland, J. (Assigned)

B149911 People (Not for Publication)  
v.  
Owens

The judgment is affirmed.

Johnson, J.

We concur: Lillie, P.J.  
Woods, J.

B147542 People (Not for Publication)  
v.  
Melara

The judgment is affirmed.

Perluss, J.

We concur:   Johnson, Acting P.J.  
                      Woods, J.

## DIVISION SEVEN (Continued)

B144951 People (Not for Publication)  
v.  
Mancillas

The judgment is affirmed.

Perluss, J.

We concur: Johnson, Acting P.J.  
Woods, J.

B145440      People      (Not for Publication)  
v.  
Mendez

The judgment is affirmed.

Perluss, J.

We concur: Johnson, Acting P.J.  
Woods, J.

[illegible]

The judgment is affirmed.

Perluss, J.

We concur: Johnson, Acting P.J.  
Woods, J.

## DIVISION SEVEN (Continued)

B141142 Higgins (Not for Publication)  
v.  
Thrifty Payless, Inc.

The judgment entered on March 1, 2000 is modified to reflect an award of noneconomic damages in the amount of \$250,000. In all other respects the judgment is affirmed. Each party shall bear its own costs on appeal.

Perluss, J.

We concur: Johnson, Acting P.J.  
Woods, J.

B149529 Thornton, Darlaine A. (Certified for Publication)  
v.  
Thornton, Roger Earl

The February 23, 2001 order denying husband's application for an order terminating spousal support and awarding attorney fees to wife is reversed. The matter is remanded to the trial court with directions to find husband's spousal support obligation terminated by operation of law on March 24, 2000, to order wife to reimburse husband for spousal support payments made after that date, and to order wife to reimburse husband for payments of attorney fees pursuant to the February 23, 2001 order. Wife's request for attorney fees on appeal is denied. The parties shall bear their own costs on appeal.

Perluss, J.

We concur: Johnson, Acting P.J.  
Woods, J.

## DIVISION SEVEN (Continued)

B146500      Benn      (Not for Publication)  
v.  
County of Los Angeles

The trial court's order denying the motion to strike the complaint under Code of Civil Procedure section 425.16 is affirmed. The order awarding respondents' sanctions is reversed. This matter is remanded to the trial court. On remand the trial court is hereby directed to vacate the order awarding respondents' \$3,450 in sanctions on the motion to strike. Respondents' request for sanctions on appeal is denied. Each party is to bear its own costs on appeal.

Woods, J.

We concur:   Johnson, Acting P.J.  
                      Perluss, J.